



IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

:

Norikazu SUGAYA et al.

:

Attorney Docket No. 2006_1372A

Serial No. 10/590,503

:

Filed August 24, 2006

:

METHOD OF PREVENTING ELUTION OF
NICKEL FROM WETTED INSTRUMENT OF
COPPER ALLOY, PROTECTIVE FILM
FORMATION AGENT FOR PREVENTING
ELUTION OF NICKEL AND DETERGENT
FOR PREVENTING ELUTION OF NICKEL

**SUBMISSION OF ENGLISH VERSIONS OF INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY OF THE INTERNATIONAL SEARCHING
AUTHORITY**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

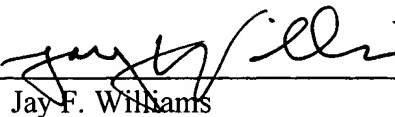
Submitted herewith for consideration by the Examiner is an English version of the International Preliminary Report on Patentability. Kindly note the references cited therein were made of record in the Information Disclosure Statement of November 8, 2006.

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Respectfully submitted,

Norikazu SUGAYA et al.

By:



Jay F. Williams

Registration No. 48,036

Attorney for Applicants

JFW/mjw
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
March 9, 2007

From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

KOBAYASHI, Tetsuo
Onarimon Annex Bldg. 7F, 17-2, Shimbashi 6-chome,
Minato-ku Tokyo
1050004
JAPON

RECEIVED

07.1.22

**KOBAYASHI INT'L
PAT OFFICE**

Date of mailing (day/month/year)

11 January 2007 (11.01.2007)

Applicant's or agent's file reference

PCT-05-032

IMPORTANT NOTIFICATION

International application No.

PCT/JP2005/003741

International filing date (day/month/year)

04 March 2005 (04.03.2005)

Applicant:

KITZ CORPORATION et al

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

EP, KR

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Yoshiko Kuwahara

Facsimile No. +41 22 338 82 70

Facsimile No. +41 22 338 82 70

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

| | | |
|---|---|---|
| Applicant's or agent's file reference PCT-05-032 | FOR FURTHER ACTION | See Form PCT/IPEA/416 |
| International application No. PCT/JP2005/003741 | International filing date (day/month/year) 04.03.2005 | Priority date (day/month/year) 05.03.2004 |
| International Patent Classification (IPC) or national classification and IPC C23F11/00, C23F17/00 | | |
| Applicant KITZ CORPORATION | | |

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 3 sheets, as follows:

☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____ containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

| | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input checked="" type="checkbox"/> | Box No. VIII | Certain observations on the international application |

| | |
|---|-----------------------------------|
| Date of submission of the demand | Date of completion of this report |
| Name and mailing address of the IPEA/JP | Authorized officer |
| Facsimile No. | Telephone No. |

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2005/003741

| Box No. I | Basis of the report |
|-----------|--|
| 1. | <p>With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This report is based on translations from the original language into the following _____ which is the language of a translation furnished for the purposes of:</p> <p><input type="checkbox"/> international search (Rule 12.3 and 23.1(b))</p> <p><input type="checkbox"/> publication of the international application (Rule 12.4)</p> <p><input type="checkbox"/> international preliminary examination (Rule 55.2 and/or 55.3)</p> |
| 2. | <p>With regard to the elements of the international application, this report is based on <i>(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)</i>:</p> <p><input type="checkbox"/> the international application as originally filed/furnished</p> <p><input checked="" type="checkbox"/> the description:</p> <p>pages <u>1-6, 8, 10-53</u> as originally filed/furnished</p> <p>pages* <u>7, 9</u> received by this Authority on <u>18.11.2005</u></p> <p>pages* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the claims:</p> <p>nos. <u>2, 4-11</u> as originally filed/furnished</p> <p>nos.* _____ as amended (together with any statement) under Article 19</p> <p>nos.* <u>1, 3</u> received by this Authority on <u>18.11.2005</u></p> <p>nos.* _____ received by this Authority on _____</p> <p><input checked="" type="checkbox"/> the drawings:</p> <p>sheets <u>Fig. 1-26</u> as originally filed/furnished</p> <p>sheets* _____ received by this Authority on _____</p> <p>sheets* _____ received by this Authority on _____</p> <p><input type="checkbox"/> a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.</p> |
| 3. | <p><input type="checkbox"/> The amendments have resulted in the cancellation of:</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (<i>specify</i>): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p> |
| 4. | <p><input type="checkbox"/> This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).</p> <p><input type="checkbox"/> the description, pages _____</p> <p><input type="checkbox"/> the claims, nos. _____</p> <p><input type="checkbox"/> the drawings, sheets/figs _____</p> <p><input type="checkbox"/> the sequence listing (<i>specify</i>): _____</p> <p><input type="checkbox"/> any table(s) related to sequence listing (<i>specify</i>): _____</p> |

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2005/003741

| Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
|---|--|
| 1. Statement | |
| Novelty (N) | Claims 7-9, 11 YES Claims 1-6, 10 NO |
| Inventive step (IS) | Claims 7-9, 11 YES Claims 1-6, 10 NO |
| Industrial applicability (IA) | Claims 1-11 YES Claims NO |
| 2. Citations and explanations (Rule 70.7) | |
| | Document 1: JP 2002-180267 A (Koei Perfumery Co., Ltd.), 26 June 2002 |
| | Document 2: JP 11-29887 A (Kitz Corporation), 2 February 1999 |
| | Document 3: JP 11-510217 A (Europa Metalli SPA), 7 September 1999 |
| | <p>The inventions set forth in claims 1 to 6 and 10 lack novelty in the light of document 1 cited in the international search report.</p> <p>Document 1 (claims; paragraph 2, lines 15 to 18; paragraph 4, line 48 to paragraph 5, line 1) indicates that water supply equipment obtained by nickel-plating a copper alloy is treated by immersion in a solution containing benzotriazole and organic acid, thus forming a film.</p> <p>Moreover, it would be technically obvious to a person skilled in the art that nickel plating is deposited around the liquid contact surface.</p> <p>In addition, in the invention set forth in document 1, which carries out film forming by benzotriazole or the like after nickel plating, it is obvious that the invention has an effect of preventing nickel elutriation</p> |

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2005/003741

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

due to bonding with nickel.

The inventions set forth in claims 7 to 9 and 11 are not disclosed in any of the documents cited in the international search report, and are therefore novel. None of the documents specifies a step whereby nickel chloride deposited as residue inside liquid-contact equipment is removed by rinsing.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Due to the ambiguous disclosure of "and other" in "straight-chain fatty acids and other organic acids" in claims 2, 3 and 10, it is unclear whether the specified matter of the invention encompasses "organic acids" other than "straight-chain fatty acids".